

REMARKS

This communication is being filed in response to the final Office Action having a mailing date of July 13, 2004. Claims 9-12 are amended as shown. Claim 8 is canceled herein without prejudice. No new matter has been added. With this communication, claims 1-7 and 9-20 are pending in the application.

In the final Office Action, claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenfeld (U.S. Patent No. 6,307,576). Claims 1-7 and 14-20 were allowed, and claims 9-13 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include the limitations of their respective base claims. The applicants thank the Examiner for providing the indication of allowable subject matter.

Claim 9 has been rewritten in independent form to include the recitations of its base claim 8. Claim 10 has been rewritten in independent form to include the recitations of its base claim 8. Claim 11 has been rewritten in independent form to include the recitations of its base claim 8. These newly independent claims are now allowable. Dependent claims 12-13 are also allowable based on the recitations contained in these claims, as well as being allowable based on their dependency upon an allowable base claim.

I. INFORMATION DISCLOSURE STATEMENTS

A. Previously Filed Information Disclosure Statements (IDS)

The undersigned attorney inherited prosecution of the present application from prior counsel. Prior counsel filed an IDS on October 18, 2002, which submitted 89 references for consideration by the Examiner. Prior counsel also filed a first Supplemental IDS on December 10, 2002, which submitted 6 references for consideration by the Examiner. On January 15, 2004, the Examiner faxed a copy of the first Office Action to the undersigned attorney. It appears that this faxed copy of the Office Action was incomplete, as it was unclear as to whether or not the Examiner had included, along with the faxed copy of the Office Action, the initialed copy of the forms PTO-1449 that accompanied the previously filed IDSs.

Accordingly, the undersigned attorney is including copies of these previously filed forms PTO-1449 along with this present communication. It is kindly requested that the Examiner initial these forms to indicate consideration of the references listed thereon, and to include copies of the initialed forms along with the next communication. It is believed that a fee is not required for providing these forms PTO-1449, since such forms and copies of the references listed thereon were previously provided to the Examiner.

B. Current Information Disclosure Statement

A second Supplemental Information Disclosure Statement is also being included along with this communication. This second Supplemental Information Disclosure Statement includes the appropriate certifications and fee, and submits a copy of a reference that was cited during prosecution of a related application (U.S. Application Serial No. 10/216,662). Again, it is kindly requested that the Examiner consider the reference listed thereon, initial the form PTO-1449, and include a copy of this initial form PTO-1449 along with the next communication. The current claims are all allowable over the references disclosed in these IDSs.

II. CONCLUSION

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 622-4900.

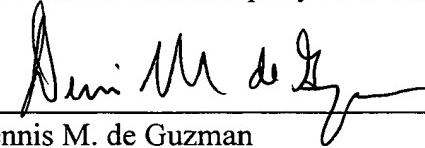
The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

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All of the claims remaining in the application are now clearly allowable.
Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC



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DMD:wt

Enclosures:

- Postcard
- Copies of Previously Filed IDSs (2)
- Second Supplemental Information Disclosure Statement
- Form PTO-1449
- Cited Reference (1)

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